REMARKS

Summary Of The Office Action & Formalities

Status of Claims

Claims 1-14 are all the claims pending in the application. Claims 6-12 are withdrawn from further consideration.

Information Disclosure Statement

Applicant thanks the Examiner for initialing some of the references listed on form PTO/SB/08 submitted with the Information Disclosure Statement filed on December 27, 2004. However, Applicant kindly requests the Examiner to initial by the items listed in the "Non Patent Literature" section of form PTO/SB/08 submitted with the Information Disclosure Statement filed on December 27, 2004.

Art Rejections

1. Claims 1-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 10-175230.

2. Claims 13 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 10-175230.

Applicant respectfully traverses.

Claim Rejections - 35 U.S.C. § 103

1. Claims 1-5 Over JP 10-175230.

In rejecting claims 1-5 over JP 10-175230, the grounds of rejection state:

> Regarding Claim(s) 1, '230 discloses a system for molding and assembling the system comprising two cavity molds for molding two different parts of the fluid dispenser device, the system being characterized in that the first part is a spray head and

the second part is an insert for assembling in the spray head, the system comprising means for assembling parts coming from each of the cavity of the first cavity mold always with parts coming from a corresponding respective cavity of the second cavity mold, such that the same insert is always assembled in the same spray head, thereby guaranteeing constant spraying performance for each dispenser device assembled from the same pair of cavities (Abstract; Figs. 1 and 2).

`230 fails to teach the first multi-cavity mold of the two multi cavity m each of the cavities of the first multi-cavity mold in pairs always with parts coming from a corresponding respective cavity of the second multi-cavity mold olds.

But the addition of multiple cavities to the mold for a multiplied effect is well known in the art and It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilized the mold of `230 so as to achieve a multiplied effect.

"Duplicate parts for a multiple effect is not the type of innovation for which a patent monopoly is to be granted." St. Regis Paper co. v. Bemis Co,. Inc,. 193 USPQ 8, 11 (7th Cir. 1977).

A claim containing a "recitation with respect to the manner in which a claimed apparatus is **intended to be employed does not differentiate** the claimed apparatus from a prior art apparatus" **if the prior art apparatus teaches all the structural limitations of the claim**. Ex parte Masham, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987).

`230 teaches : Regarding Claim 2, a system for molding and assembling a fluid spray device, the system comprising two multi-cavity molds for molding two different parts of the fluid dispenser device, the system being characterized in that the first part is a spray head and the second part is an insert for assembling in the spray head ,the system comprising means for assembling parts coming from each of the cavities of the first multi-cavity mold in pairs always with parts coming from a corresponding respective cavity of the second multi-cavity mold, such that the same insert is always assembled in the same spray head, thereby guaranteeing constant spraying performance for each dispenser device assembled from the same pair of cavities (Abstract); Regarding Claim(s) 3, the molding and assembly of the head and the insert are performed in a common molding and assembly unit,

> the molding and assembly unit comprising: a first mold portion and a second mold portion that are movable in translation towards each other to close and open the molding and assembly unit ; the first mold portion defining part of a first multi-cavity mold, and including a core plate defining part of a second multi-cavity mold, the core plate being mounted to turn about the translation axis of the molding and assembly unit, and the second mold portion defining part of a second multi-cavity mold, and including a cavity plate defining part of the first multi-cavity mold, the cavity plate being mounted to rotate about the translation axis of the molding and assembly unit ; and the core plate being offset perpendicularly from the translation axis of the molding and assembly unit relative to the cavity plate in such a manner that the two plates overlap each other in part so as to define an assembly zone, and are partially offset from each other so as to define the two respective multi-cavity molds(Abstract) ; Regarding Claim(s) 4, each of the core and cavity plates has at least two mold cavities disposed in such a manner that when the molding and assembly unit is closed, at least one cavity is situated in the assembly zone and at least one cavity is situated in the corresponding multi-cavity molds (Abstract); Regarding Claim(s) 5, each cavity of the core plate is always situated facing the same corresponding cavity of the cavity plate (Abstract).

Office Action at pages 2-4.

Applicant respectfully disagrees. Regarding claim 1, Applicant submits that there is necessarily structural differences between a system for molding and assembling an insert inside a spray head and a system for molding two hollow parts and then sealing the two hollow parts by resin injection. In particular, in the current invention, the second multi-cavity mold is adapted to mold an insert, which is inserted *into* the spray head. In JP 10175230, on the other hand, both molds provide molding two hollow cavities and neither part is inserted inside of the other. It is clear from the drawings and the abstract that both mold parts comprise hollow cavities which are brought together before the assembly process. The two hollow parts thus can only be in contact on their ends, and no insertion of one part inside the other is possible.

Furthermore, there would be no reason to modify the JP 10175230 reference to produce a mold comprising "means for assembling parts coming from each cavity of a first multi-cavity mold (B; B') of the two multi-cavity molds in pairs always with parts coming from a corresponding respective cavity of a second multi-cavity mold (C; C') of the two multi-cavity molds, *such that the same insert (200) is always assembled in the same spray head.*"

The Examiner states that the addition of multiple cavities to the mold provides a multiplied effect well known in the art. Claim 1, however, does not simply recite multiple cavities. Claim 1 recites that the inserts produced from one of the cavities are *always* combined with spray heads produced from the same respective corresponding cavity. By ensuring that the same inserts are always combined with the same spray heads, this improves the stability of the spray performances of the end product.

By comparison, in JP 10175230, there are no multi-cavity molds. Even if one were to modify JP 10175230 to provide multi-cavity molds, one skilled in the art would not necessarily provide that the same cavity of one mold would always cooperate with the same cavity of the other mold. In fact, there would be no reason to provide this feature when using a multi-cavity mold in JP 10175230, because no technical advantage would be obtained from such a configuration when combining two hollow parts together.

Furthermore, this recited feature of claim 1 recites specific structure and does not merely recite an intended use as indicated by the Examiner. The recited features of claim 1, "means for assembling parts coming from each cavity of a first multi-cavity mold (B; B') of the two multi-cavity molds in pairs always with parts coming from a corresponding respective cavity of a second multi-cavity mold (C; C') of the two multi-cavity molds, *such that the same insert (200) is always assembled in the same spray head*," require that a structure be provided to ensure that a

part from one cavity is always paired with a part from a corresponding respective cavity. For example, in the embodiment disclosed in Figures 2-7, the location of the axes of rotation of the mold cavities, and the location of the cavities themselves, ensures that the same inserts produced from one cavity always align with the spray heads produced from a corresponding respective cavity. The JP 10175230 reference discloses no such structures as it does not even disclose multiple cavity molds.

Regarding claims 2-5, Applicant respectfully submits that these claims are allowable at least by virtue of their dependency from independent claim 1.

Additionally, Regarding claim 3, Applicant submits that JP 10175230 does not disclose at least "the first mold portion . . . including a core plate . . . said core plate being mounted to turn about the translation axis of the molding assembly unit." In JP 10175230, both mold portions define cavity plates, and both cavity plates are brought together for assembly by resin injection. As such, JP 10175230 does not disclose a core plate. To the contrary, claim 3 clearly covers one mold portion having a cavity plate (containing the molded spray heads) and the other mold portion having a core plate (supporting the molded inserts). As such, Applicant submits that claim 3 is not obvious in view of JP 10175230.

Claim Rejections - 35 U.S.C. § 102

2. Claims 13 and 14 in view of JP 10175230.

In rejecting claims 13 and 14 in view of JP 10175230, the grounds of rejection state:

> Regarding Claim(s) 13, a system for molding and assembling a fluid dispenser device, comprising: a first mold comprising cavities for molding spray heads; a second mold comprising cavities for molding inserts configured to be assembled in the spray heads; means for assembling spray heads form the cavities of the first mold always with inserts from the second mold

> inserted in the spray heads, such that the same insert is always assembled in the same spray head (Abstract; Figs. 1 and 2);
>
> A claim containing a "recitation with respect to the manner in which a claimed apparatus **is intended to be employed does not differentiate** the claimed apparatus form a prior art apparatus" **if the prior art teaches all the structural limitations of the claim**. Ex parte Masham, 2 USPQ2d 1647 (Bd. Pat. App. & Inter. 1987).

Office action at pages 4-5.

Regarding claim 13, for reasons similar to those stated above, Applicant submits that JP 10175230 does not disclose or render obvious at least, "means for assembling spray heads from the cavities of the first mold always with inserts from the second mold inserted in the spray heads, such that the same non-hollow insert is always assembled in the same spray head." As noted above, JP 10175230 does not provide molds having a plurality of cavities. Rather, JP 10175230 only provides that the molds have a single cavity for injection-molding a single part at a time. Even if one were to provide multiple cavities in JP 10175230, there would be no reason to provide that a part produced from a mold is always matched with a part produced from a respective corresponding mold. Furthermore, a specific structure is required to ensure that the inserts from a mold are inserted in the spray heads from a respective corresponding cavity. As such, Applicant respectfully submits that JP 10175230 does not disclose all of the features of independent claim 13.

Regarding claim 14, Applicant submits that this claim is allowable at least by virtue of its dependency from independent claim 13.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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